

## **BOARD OF EXAMINERS IN OPTOMETRY**

### **Regular Session Minutes**

**Wed. March 24, 2010  
DHMH  
4201 Patterson Avenue #110  
9:30 a.m.**

The Regular Session meeting of the Board of Examiners in Optometry was held on Wednesday, March 24, 2010 in room #110 DHMH Metro Executive Building, 4201 Patterson Avenue, Baltimore, Maryland. Board members present were, Thomas Azman, O.D., Jo Anne Brilliant, O.D., Stephen Kwan, O.D., Phyllis M. Strickland, O.D., Kisha Fields Matthews, and Frederick J. Walsh, Ph.D., Also present were Delia Turano Schadt, Board Counsel, Patricia G. Bennett, Board Administrator, Kecia Dunham, Licensing Coordinator. David D. Reed, O.D. was not in attendance.

#### **A. Opening of Meeting**

Dr. Azman called the meeting to order at 9:45 a.m.

#### **B. Minutes**

The regular session minutes of January 27, 2010 were reviewed. The following corrections were made as follow: Page 1 introduction, Stephen Kwan, O.D. was listed as an attendee, he was not in attendance. Under Minutes, remove the 2 to read "and 20 questions..." and page 2 under #3 the word assess misspelled. Dr. Brilliant moved and Dr. Kwan seconded to accept the minutes with corrections. The Board's vote was unanimous.

#### **C. Committee Reports**

##### **1. Continuing Education- Dr. Brilliant**

Dr. Brilliant stated that there was no report.

##### **2. QEI Committee – Dr. Reed**

Pat Bennett reported for Dr. Reed that the QEI Committee is currently working on the 2010 CE Project. Dr. Brilliant stated that the next meeting is scheduled for April 22, 2010.

##### **3. Treasurer's Report – Dr. Strickland**

Dr. Strickland reported that as of March 5, 2010, the Board's Special Fund balance was \$320,654.15. Dr. Strickland also reported that the Year to Date Board Expenditure is \$173,467.53 and the Board's available budget balance is \$97,558.40.

##### **4. ARBO – Dr. Strickland**

Dr. Strickland had no report.

##### **5. Legislation – Pat Bennett**

Ms. Bennett stated that there was no report.

#### **D. Old Business**

##### **Legislation**

##### **SB291/HB114 Health Occupations Board- Revision**

Ms. Bennett reported that the Bill was amended and will be effective October 1, 2010. The Bill will impact all Health Occupation Boards and requires all boards to collect certain racial and ethnic information, adopt sanctioning guidelines for disciplinary cases, notify all licensees of Board vacancies, and develop cultural competency training for new Board members and other specific requirements for the disciplinary process. The Secretary of the Department shall confirm the appointment of each Administrator or Executive Director.

## **HB132/SB 145 State Board of Examiners in Optometry**

Ms. Bennett reported that the Sunset Evaluation Bill was amended and that on October 1, 2011, the Board shall submit a report to the Senate EHE Committee and the House HGO Committee on the actions the Board has taken regarding the decline in new licenses issued, future revenue and expenditure trends to determine if a fee increase may be necessary and implementing a biennial renewal cycle to maintain a more consistent fund balance. The 3 required actions were prioritized and the Board decided to begin with the fee increase and biennial renewal implementation. Drs. Brilliant and Strickland volunteered to work with Ms. Bennett on the fee increase issue and Ms. Bennett will provide the Board with information about how other Boards have implemented a biennial renewal cycle.

## **Rehabilitation Committee**

Ms. Bennett reported that she spoke with Steve Kreindler, the Pharmacy Board's Compliance Officer and he has agreed to meet with her and Dr Azman to discuss and gather ideas about methods for implementing a Rehabilitation Committee for the Board.

## **E. Administrator's Report**

Ms. Bennett's report was comprised of the foregoing discussion in the Old Business Section D listed above, i.e. SB 291, SB 145, and Rehabilitation Committee.

## **F. New Business**

### **1. Licenses Issued 1/2010- 3/18/2010**

Ms. Bennett reported that five (5) licenses were issued from January, 2010 to date. A motion was made by Dr. Brilliant and seconded by Kisha Fields Matthews to approve the licenses issued. The Board's vote was unanimous.

### **2. NBEO Potential Examiners**

A motion was made by Dr Azman and seconded by Dr. Strickland to approve the list of active optometrists that was submitted to the Board to be potential examiners for the NBEO. The Board's vote was unanimous.

### **3. Correspondence – Child Support Enforcement**

The Child Support Enforcement Administration (CSEA) submitted a letter asking that when the Boards send the Comptroller's Office a copy of their data files to determine any tax compliance issues during the renewal process, that the Boards send the data file to them as well. This process will help CSEA be in compliance with the Family Law Article by flagging licensees with child support arrearages and requiring Boards to effect the Professional License Suspension program.

### **4. NPDB/HIPDB**

Ms. Bennett reported that the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank had requested that health practitioner licensing boards work with the Health Resources and Services Administration to take steps to address any deficiencies in their submission of disciplinary data. Ms. Bennett reported that all of the Board's public orders had been submitted.

### **5. Partial Waiver of Examination**

There was an application pending in the Board office where the optometrist had been licensed in another state however, the optometrist had not taken and or passed the NBEO exam specifically. A motion was made by Dr. Brilliant and seconded by Dr. Strickland to add a question to the application; "Have you taken or plan to take the NBEO exam? Please list the dates. In addition the following statement will be added; "Maryland requires passage of the NBEO Examinations, Part I, Basic Science; Part II, Clinical Science; and Part III, Patient Care; for licensure. The Board vote was not unanimous. There was (1) abstention. Following this discussion, the Board voted to add a Credentialing Committee to review issues of this nature in the future. Drs. Brilliant and Kwan volunteered to work on this committee.

The Regular Session meeting was adjourned.

Respectfully submitted,

Kisha Fields Matthews